

**Compliance**

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

**Requirements of AD 2000-26-04***Modification*

(f) Within 6 years after February 2, 2001 (the effective date of AD 2000-26-04, amendment 39-12054), accomplish paragraphs (f)(1), (f)(2), and (f)(3) of this AD; in accordance with Boeing Service Bulletin 747-25-3253, dated June 29, 2000, or Revision 3, dated September 4, 2003; 757-25-0226, dated July 3, 2000, or Revision 3, dated September 2, 2004; 757-25-0228, dated July 3, 2000; 767-25-0290, dated June 29, 2000, or Revision 4, dated October 28, 2004; or 777-25-0164, dated June 29, 2000; as applicable; except as provided by paragraph (g) of this AD. For Model 757-200, -200CB, and -200PF series airplanes subject to Boeing Service Bulletin 757-25-0226: As of the effective date of this AD, only Revision 3 of the service bulletin may be used. For Model 747 and 767 series airplanes: As of the effective date of this AD, only Boeing Service Bulletin 747-25-3253, Revision 3, or 767-25-0290, Revision 4, as applicable, may be used.

(1) Modify drip shields located on the flight deck by installing fire blocks.

(2) Prior to further flight following accomplishment of paragraph (f)(1) of this AD, perform a functional test of any system disturbed by the modification, in accordance with the applicable service bulletin or the Airplane Maintenance Manual (AMM), as applicable. If any functional test fails, prior to further flight, isolate the fault, correct the discrepancy in accordance with the applicable AMM, and repeat the failed test until it is successfully accomplished.

(3) Prior to further flight following the accomplishment of paragraphs (f)(1) and (f)(2) of this AD, install placards on all modified drip shields.

(g) If any wires or equipment are installed on the outboard surface of the drip shield (that is, between the drip shield and the airplane structure), modify that area in accordance with a method approved by the Manager, Seattle Aircraft Certification Office (ACO), FAA.

*Optional Sampling (Certain Model 747 Series Airplanes)*

(h) For Model 747 series airplanes listed in Group 1 in Boeing Service Bulletin 747-25-3253, Revision 3, dated September 4, 2003: In lieu of accomplishing paragraph (f) of this AD, within 6 years after February 2, 2001, collect samples of the insulation and adhesive of the drip shields, and submit the samples to the manufacturer for testing, in accordance with the Accomplishment Instructions of Boeing Service Bulletin 747-25-3253, dated June 29, 2000, or Revision 3, dated September 4, 2003. After the effective date of this AD, only Revision 3 may be used.

(1) If the test on all samples is positive, no further action is required by this AD.

(2) If the test on any sample is negative, accomplish paragraph (f) of this AD before

the compliance time specified in that paragraph.

**New Requirements of This AD***Model 757-200, -200CB -200PF Series Airplanes Previously Modified*

(i) For Model 757-200, -200CB, and -200PF series airplanes that were modified before the effective date of this AD in accordance with Boeing Service Bulletin 757-25-0226, dated July 3, 2000: Within 6 years after the effective date of this AD, modify drip shields located above windows number 2 and 3 on the flight deck by installing fire blocks, in accordance with the Accomplishment Instructions of Boeing Service Bulletin 757-25-0226, Revision 3, dated September 2, 2004; except as provided by paragraph (g) of this AD. After the modification, do the actions required by paragraph (f)(2) and (f)(3) of this AD as these actions apply to the drip shields modified in accordance with this paragraph.

*Previously Accomplished Actions*

(j) Modifying the drip shields before the effective date of this AD in accordance with the applicable service bulletin specified in paragraph (j)(1) or (j)(2) of this AD is acceptable for compliance with the corresponding requirements of paragraphs (f) and (i) of this AD, as applicable.

(1) For Model 757-200, -200CB, and -200PF series airplanes: Boeing Service Bulletin 757-25-0226, Revision 2, dated October 31, 2002.

(2) For Model 767 series airplanes: Boeing Service Bulletin 767-25-0290, Revision 3, dated June 26, 2003.

*Alternative Methods of Compliance (AMOCs)*

(k)(1) The Manager, Seattle ACO, FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19.

(2) Except for Model 757-200, -200CB, and -200PF series airplanes listed in Boeing Service Bulletin 757-25-0226, Revision 3, dated September 2, 2004: Alternative methods of compliance, approved previously in accordance with AD 2000-26-04, amendment 39-12054, are approved as alternative methods of compliance with this AD.

Issued in Renton, Washington, on December 6, 2004.

**Ali Bahrami,**

*Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 04-27503 Filed 12-15-04; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 39**

[Docket No. FAA-2004-19866; Directorate Identifier 2004-NM-25-AD]

RIN 2120-AA64

**Airworthiness Directives; Boeing Model 767-200, -300, and -300F Series Airplanes**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** The FAA proposes to adopt a new airworthiness directive (AD) for certain Boeing Model 767-200, -300, and -300F series airplanes. This proposed AD would require verifying the part and serial numbers of certain main landing gear (MLG) bogie beam pivot pins; replacing those pivot pins with new or overhauled pivot pins if necessary; and ultimately replacing all pivot pins with new, improved pivot pins. This proposed AD is prompted by reports indicating that numerous fractures of the MLG bogie beam pivot pin have been found and that some pivot pins may have had improper rework during manufacture. We are proposing this AD to prevent fracture of the MLG bogie beam pivot pin, which could lead to possible loss of the MLG truck during takeoff or landing and consequent loss of control of the airplane.

**DATES:** We must receive comments on this proposed AD by January 31, 2005.

**ADDRESSES:** Use one of the following addresses to submit comments on this proposed AD.

- DOT Docket Web site: Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.

- Government-wide rulemaking Web site: Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- Mail: Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., Nassif Building, Room PL-401, Washington, DC 20590.

- By fax: (202) 493-2251.

- Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124-2207.

You can examine the contents of this AD docket on the Internet at <http://dms.dot.gov>, or in person at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., Room PL-401, on the plaza level of the Nassif Building, Washington, DC. This docket number is FAA-2004-19866; the directorate identifier for this docket is 2004-NM-25-AD.

**FOR FURTHER INFORMATION CONTACT:**

*Technical information:* Suzanne Masterson, Aerospace Engineer, Airframe Branch, ANM-120S, FAA, Seattle Aircraft Certification Office, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 917-6441; fax (425) 917-6590.

*Plain language information:* Marcia Walters, [marcia.walters@faa.gov](mailto:marcia.walters@faa.gov).

**SUPPLEMENTARY INFORMATION:**

**Docket Management System (DMS)**

The FAA has implemented new procedures for maintaining AD dockets electronically. As of May 17, 2004, new AD actions are posted on DMS and assigned a docket number. We track each action and assign a corresponding directorate identifier. The DMS AD docket number is in the form "Docket No. FAA-2004-99999." The Transport Airplane Directorate identifier is in the form "Directorate Identifier 2004-NM-999-AD." Each DMS AD docket also lists the directorate identifier ("Old Docket Number") as a cross-reference for searching purposes.

**Comments Invited**

We invite you to submit any written relevant data, views, or arguments regarding this proposed AD. Send your comments to an address listed under **ADDRESSES**. Include "Docket No. FAA-2004-19866; Directorate Identifier 2004-NM-25-AD" in the subject line of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the proposed AD. We will consider all comments submitted by the closing date and may amend the proposed AD in light of those comments.

We will post all comments we receive, without change, to <http://dms.dot.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this proposed AD. Using the search function of that Web site, anyone can find and read the comments in any of our dockets, including the name of the individual who sent the comment (or signed the comment on behalf of an association,

business, labor union, etc.). You can review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78), or you can visit <http://dms.dot.gov>.

We are reviewing the writing style we currently use in regulatory documents. We are interested in your comments on whether the style of this document is clear, and your suggestions to improve the clarity of our communications that affect you. You can get more information about plain language at <http://www.faa.gov/language> and <http://www.plainlanguage.gov>.

**Examining the Docket**

You can examine the AD docket on the Internet at <http://dms.dot.gov>, or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level of the Nassif Building at the DOT street address stated in the **ADDRESSES** section. Comments will be available in the AD docket shortly after the DMS receives them.

**Discussion**

We have received reports indicating that numerous fractures of the main landing gear (MLG) bogie beam pivot pin have been found on certain Boeing Model 767-200 and -300 series airplanes. In four cases, a portion of the pin and the uplock fitting departed the airplane. The airplane manufacturer determined that the fractures are probably due to cracks initiating in areas of heat damage and propagating due to fatigue. Also, one supplier of pivot pins to the airplane manufacturer has reported that some pivot pins may have had improper rework during manufacture, which could have caused heat damage, cracks, or other defects. Fracture of the pivot pin, if not corrected, could lead to possible loss of the MLG truck during takeoff or landing and consequent loss of control of the airplane.

The MLG on certain Model 767-300F series airplanes is identical to that on the affected Model 767-200 and -300 series airplanes. Therefore, certain Model 767-300F series airplanes may be subject to the same unsafe condition revealed on the Model 767-200 and -300 series airplanes.

**Relevant Service Information**

We have reviewed Boeing Alert Service Bulletin 767-32A0202, dated July 22, 2004. The service bulletin describes procedures for a check of the

part numbers and serial numbers of certain MLG bogie beam pivot pins and replacing discrepant pivot pins with new pins or overhauled pins that include a chrome plate strip as part of the pin overhaul, and for reporting the inspection results and numbers of suspect pivot pins to Boeing.

We have also reviewed Boeing Service Bulletin 767-32A0199, Revision 1, dated July 22, 2004. The service bulletin describes procedures for replacing the MLG bogie beam pivot pin with a new, improved pivot pin. The service bulletin specifies a compliance time for these actions of 6-10 years since the pivot pin was new or overhauled (depending upon airplane group), or 18 months after the original issue date of the service bulletin, whichever occurs later.

Accomplishing the actions in Service Bulletin 767-32A0199, Revision 1, eliminates the need to do the actions in Service Bulletin 767-32A0202.

Accomplishing the actions specified in the service information is intended to adequately address the unsafe condition.

**FAA's Determination and Requirements of the Proposed AD**

We have evaluated all pertinent information and identified an unsafe condition that is likely to exist or develop on other airplanes of this same type design. Therefore, we are proposing this AD, which would require replacement of the MLG bogie beam pivot pin with a new, improved pivot pin. The proposed AD would require you to use the service information described previously to perform these actions, except as discussed under "Difference Between the Proposed AD and Service Bulletins." The proposed AD would also require sending the inspection results to the manufacturer.

**Difference Between the Proposed AD and Service Bulletins**

The referenced service bulletins specify compliance times relative to the date of the original issue of the service bulletins; however, this proposed AD would require compliance times relative to the effective date of the AD.

**Costs of Compliance**

This proposed AD would affect about 374 airplanes of U.S. registry and 857 airplanes worldwide.

The proposed inspection would take about 1 work hour per airplane, at an average labor rate of \$65 per work hour. Based on these figures, the estimated cost of the proposed inspection for U.S. operators is \$55,705, or \$65 per airplane.

The proposed pin replacement would take about 12 work hours per airplane, at an average labor rate of \$65 per work hour. Required parts would cost about \$35,134 per airplane. Based on these figures, the estimated cost of the proposed pin replacement for U.S. operators is \$13,431,836 or \$35,914 per airplane.

#### Authority for This Rulemaking

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs describes in more detail the scope of the agency's authority.

This rulemaking is promulgated under the authority described in subtitle VII, part A, subpart III, section 44701, "General requirements." Under that section, the FAA is charged with promoting safety flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this proposed AD.

#### Regulatory Findings

We have determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the National Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that the proposed regulation:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and
3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a regulatory evaluation of the estimated costs to comply with this proposed AD. See the ADDRESSES section for a location to examine the regulatory evaluation.

#### List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

#### The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the FAA proposes to amend 14 CFR part 39 as follows:

#### PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701.

##### § 39.13 [Amended]

2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

**Boeing:** Docket No. FAA-2004-19866; Directorate Identifier 2004-NM-25-AD.

##### Comments Due Date

(a) The Federal Aviation Administration (FAA) must receive comments on this AD action by January 31, 2005.

##### Affected ADs

(b) None.

##### Applicability

(c) This AD applies to Boeing Model 767-200, -300, and -300F series airplanes, certificated in any category, as specified in Boeing Alert Service Bulletin 767-32A0202, and Boeing Alert Service Bulletin 767-32A0199, Revision 1, both dated July 22, 2004.

##### Unsafe Condition

(d) This AD was prompted by reports indicating that numerous fractures of the main landing gear (MLG) bogie beam pivot pin have been found and that some pivot pins may have had improper rework during manufacture. We are issuing this AD to prevent fracture of the MLG bogie beam pivot pin, which could lead to possible loss of the MLG truck during takeoff or landing and consequent loss of control of the airplane.

##### Compliance

(e) You are responsible for having the actions required by this AD performed within the compliance times specified, unless the actions have already been done.

##### Pin Inspection, Short-Term Replacement, and Discrepancy Reporting

(f) Within 6 months after the effective date of this AD, do an inspection of the part and serial numbers of the MLG bogie beam pivot pin in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 767-32A0202, dated July 22, 2004.

(1) If the serial number of the pivot pin contains the letters "MA" or "MAM", no further action is required by this paragraph.

(2) If any pivot pin has a part and serial number as listed in figure 1 of the service bulletin, prior to further flight, remove and overhaul the pivot pin, or replace it with a new pivot pin or an overhauled pivot pin that includes a chrome plate strip as part of the pin overhaul; in accordance with the service bulletin.

(g) If any pivot pin has a part and serial number as listed in figure 1 of the service bulletin, submit a report of the inspection required by paragraph (f) of this AD to the Manager, Airline Support, Boeing Commercial Airplanes, P.O. Box 3707, Seattle, Washington 98124-2207, at the applicable time specified in paragraph (g)(1) or (g)(2) of this AD. The report must include the part and serial number of the pivot pin, a description of any discrepancies found, the airplane serial number, and the number of landings and flight hours on the airplane. Under the provisions of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*), the Office of Management and Budget (OMB) has approved the information collection requirements contained in this AD and has assigned OMB Control Number 2120-0056.

(1) If the inspection was done after the effective date of this AD: Submit the report within 30 days after the inspection.

(2) If the inspection was done before the effective date of this AD: Submit the report within 30 days after the effective date of this AD.

##### Final Pin Replacement

(h) Replace any MLG bogie beam pivot pin having part number (P/N) 161T1145-2, -3, or -4, with a new, improved pivot pin having P/N 161T1145-5, in accordance with the Accomplishment Instructions of Boeing Alert Service Bulletin 767-32A0199, Revision 1, dated July 22, 2004. Do the replacement within the applicable compliance times specified in paragraph 1.E., "Compliance," of the service bulletin; except, where the service bulletin specifies a compliance time after the original issue date of the service bulletin, this AD specifies compliance time after the effective date of this AD.

(i) Airplanes on which the replacement required by paragraph (h) of this AD is performed within the compliance time specified in paragraph (f) of this AD are not required to accomplish the inspection required by paragraph (f).

##### Final Pin Replacement per Previous Issue of Service Bulletin

(j) Replacing any pivot pin before the effective date of this AD in accordance with Boeing Alert Service Bulletin 767-32A0199, dated April 8, 2004, is considered acceptable for compliance with the corresponding action specified in this AD.

##### Part Installation

(k) As of the effective date of this AD, no person may install on any airplane a MLG bogie beam pivot pin having part number (P/N) 161T1145-2, -3, or -4, except in accordance with paragraph (f)(2) of this AD.

##### Alternative Methods of Compliance (AMOCs)

(l)(1) The Manager, Seattle Aircraft Certification Office (ACO), FAA, has the authority to approve AMOCs for this AD, if requested using the procedures found in 14 CFR 39.19.

(2) An AMOC that provides an acceptable level of safety may be used for any repair required by this AD, if it is approved by a Boeing Company Designated Engineering

Representative who has been authorized by the Manager, Seattle ACO, to make such findings.

Issued in Renton, Washington, on December 6, 2004.

**Ali Bahrami,**

*Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 04-27504 Filed 12-15-04; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 39

[Docket No. FAA-2004-19863; Directorate Identifier 2003-NM-29-AD]

RIN 2120-AA64

#### Airworthiness Directives; Airbus Model A319, A320, and A321 Series Airplanes

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM).

**SUMMARY:** The FAA proposes to supersede an existing airworthiness directive (AD) that applies to certain Airbus Model A319, A320, and A321 series airplanes. The existing AD currently requires modification of the telescopic girt bar of the escape slide/raft assembly, and follow-on actions. This proposed AD would mandate a new modification of the telescopic girt bar, which would terminate the repetitive functional tests required by the existing AD. This proposed AD would also expand the applicability of the existing AD. This proposed AD is prompted by development of a new, improved modification. We are proposing this AD to prevent failure of the escape slide/raft to deploy correctly, which could result in the slide being unusable during an emergency evacuation and consequent injury to passengers or airplane crewmembers.

**DATES:** We must receive comments on this proposed AD by January 31, 2005.

**ADDRESSES:** Use one of the following addresses to submit comments on this proposed AD.

- DOT Docket Web site: Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.
- Government-wide rulemaking Web site: Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.
- Mail: Docket Management Facility; U.S. Department of Transportation, 400

Seventh Street, SW., Nassif Building, room PL-401, Washington, DC 20590.

- Fax: (202) 493-2251.
- Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For service information identified in this proposed AD, contact Airbus, 1 Rond Point Maurice Bellonte, 31707 Blagnac Cedex, France.

You can examine the contents of this AD docket on the Internet at <http://dms.dot.gov>, or in person at the Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street, SW., room PL-401, on the plaza level of the Nassif Building, Washington, DC.

#### FOR FURTHER INFORMATION CONTACT:

*Technical information:* Tim Dulin, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2141; fax (425) 227-1149.

*Plain language information:* Marcia Walters, [marcia.walters@faa.gov](mailto:marcia.walters@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Docket Management System (DMS)

The FAA has implemented new procedures for maintaining AD dockets electronically. As of May 17, 2004, new AD actions are posted on DMS and assigned a docket number. We track each action and assign a corresponding directorate identifier. The DMS AD docket number is in the form "Docket No. FAA-2004-99999." The Transport Airplane Directorate identifier is in the form "Directorate Identifier 2004-NM-999-AD." Each DMS AD docket also lists the directorate identifier ("Old Docket Number") as a cross-reference for searching purposes.

##### Comments Invited

We invite you to submit any relevant written data, views, or arguments regarding this proposed AD. Send your comments to an address listed under **ADDRESSES**. Include "Docket No. FAA-2004-19863; Directorate Identifier 2003-NM-29-AD" at the beginning of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the proposed AD. We will consider all comments received by the closing date and may amend the proposed AD in light of those comments.

We will post all comments we receive, without change, to <http://dms.dot.gov>, including any personal information you provide. We will also

post a report summarizing each substantive verbal contact with FAA personnel concerning this proposed AD. Using the search function of our docket Web site, anyone can find and read the comments in any of our dockets, including the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). You can review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78), or you can visit <http://dms.dot.gov>.

We are reviewing the writing style we currently use in regulatory documents. We are interested in your comments on whether the style of this document is clear, and your suggestions to improve the clarity of our communications that affect you. You can get more information about plain language at <http://www.faa.gov/language> and <http://www.plainlanguage.gov>.

##### Examining the Docket

You can examine the AD docket on the Internet at <http://dms.dot.gov>, or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level of the Nassif Building at the DOT street address stated in the **ADDRESSES** section. Comments will be available in the AD docket shortly after the DMS receives them.

##### Discussion

On August 9, 2001, the FAA issued AD 2001-16-14, amendment 39-12383 (66 FR 42939, August 16, 2001). That AD applies to certain Airbus Model A319, A320, and A321 series airplanes, and requires modifying the telescopic girt bar of the escape slide/raft assembly, and follow-on actions. That AD was prompted by several reports of the telescopic girt bar of the slide/raft assembly detaching from the door sill fittings and preventing proper deployment of the emergency escape slide. The requirements of that AD are intended to prevent failure of the escape slide/raft to deploy correctly, which could result in the slide being unusable during an emergency evacuation and consequent injury to passengers or airplane crewmembers.

##### Actions Since Existing AD Was Issued

The preamble to AD 2001-16-14 specified that we considered the requirements "interim action" and that the manufacturer was developing a new modification to address the unsafe